HIGH COURT OF UTTARANCHAL AT NAINITAL.

A.O. No. 805 of 2001
(Old NO. 1174 of 1988)

Union of India & another .... Appellants

Versus

Sunil Dutt Gaur .... Respondents

Dated: 30.9.2004

Hon. Rajesh Tandon J.

The present appeal has been field against the judgment and award dated 23.8.1988, passed by the Motor Accident Claims Tribunal, Pauir Garhwal.

The respondent has field a claim petition before the Claims Tribunal for the grant of compensation on account of injury sustained to him in motor vehicle accident on 8.6.1986 involving the jeep of the opposite party appellant.

After considering the evidence adduced by the parties the Claims Tribunal has awarded a sum of Rs.5,000/- as compensation to the respondent petitioner. Feeling aggrieved the opposite party Union of India has field the present appeal.

Under Section 173 (2) of the Motor Vehicles Act, no appeal lies against any award of a Claims Tribunal if the amount in dispute in the appeal is less than ten thousands rupees. Obviously, in the present appeal the amount in dispute is

Rs. 5,000/- hence the appeal against the award is not maintainable.

The appeal is, therefore, dismissed as not maintainable.

No order as to costs.

(Rajesh Tandon J.)

30.9.2004
*Dhyani